

REMARKS

The present application includes 14 claims. Applicant thanks Examiner Chapman for the indication of allowability of claims 10-14. The remaining claims 1-9 were rejected under 35 U.S.C. §103 as obvious in view of the primary reference Scott, Re 29,945. It is believed that this reference has been misinterpreted and that claims 1-9 are patentable over the art of record.

In particular, there is some confusion in the nature of the liner panels illustrated in the Scott patent. These panels are depicted in Figure 4 of Scott and described at column 7, lines 19-43. Figure 3 depicts concrete form panels 40, 41 and 42 arranged side-by-side. These form panels 40-42 are comparable to the form panels 35 and 36 shown in Figure 3 and panel 16 shown in Figure 1. A liner, such as liners 43, 44, 45 and 46 in Figure 4, or liners 37 and 38 in Figure 3, or liner 10 in Figure 1, are affixed to the corresponding form panels. These liners are used to provide a negative mold so that concrete poured between the form panels adopt a decorative configuration. Since the form panels 40-42 are typically made of wood, the liners 43-46 are provided to protect the wood.

Pertinent to the present Office Action, the liners are "arranged in abutting position on the concrete forms with their joints in the middle of the form panel rather than on the joints of the form panel to provide a good backing for the liner joints." Col. 7, lines 19-23. Consequently, the adjacent form panels 40-42 create joints 51 therebetween. One such joint 51 is depicted in dashed lines in Figure 4 because that joint between form panels (40 and 41) lies beneath one of the liners 44. The adjacent liners 43-46 also create joints 50 between each other as they are abutted in side-by-side arrangement. One such liner joint 50 is shown as a solid line between panels 42 and 44. This solid line, and consequently the joint between adjacent liners, overlaps one of the underlying form panels 40. A similar joint 52 is depicted between liners 44 and 45, which also overlaps a corresponding form panel 41.

With this understanding of the Scott reference, it should be clear that Scott does not disclose any bends or folds or perforations as suggested in the Office

Action. Instead, the feature 51 recited as a fold portion in the Office Action is actually a joint between adjacent abutting form panels, as explained at col. 7, lines 33-34. Likewise, the feature 52 recited as a fold portion/line in the Office Action is actually a joint between adjacent abutting liners, as explained at col. 7, lines 32-33.

The Scott reference does not disclose or contemplate the fold portion defined in Applicant's independent claim 1. There is no suggestion in Scott to arbitrarily fold any one of the individual liners 43-46. Moreover, such a fold would be detrimental to the function of the liners, since the liners are intended in Scott to impress a particular design on the concrete formed therein. See, col. 2, lines 8-9 and lines 33-37. An arbitrary fold line would destroy that design. Furthermore, placing an arbitrary perforation in the middle of a liner 43-46 would frustrate the ability of the liner to keep concrete from contacting the underlying wood form panel. See, col. 2, lines 40-44. These deficiencies in Scott are not cured by combining this reference with JP-71217 or any other reference of record.

It is believed Scott is insufficient to render Applicant's claims 1-9 obvious and that these claims are patentable over the art of record. Withdrawal of the rejection of these claims is solicited. The application should be in condition for allowance and action toward that end is requested.

Respectfully Submitted,


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